

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
)	
Telecommunications Relay Services,)	CC Docket No. 98-67
and Speech-to-Speech Services for)	
Individuals with Hearing and Speech)	
Disabilities)	CG Docket No. 03-123
)	
)	

ULTRATEC COMMENTS ON CAPTEL INTEROPERABILITY

Ultratec, Inc. files these comments in response to the Petition for Interoperability filed by the California Coalition of Agencies Serving the Deaf and Hard of Hearing.¹ Ultratec understands that some parties have made statements that point to Ultratec's captioned telephone enhanced VCO (CapTel) service as an example of an FCC-permitted non-interoperable relay service. Specifically, it is suggested that CapTel telephones are not interoperable with other communications facilities of the telephone network, including other telecommunications relay services (TRS). We take this opportunity to clear up misconceptions that have led to this mistaken characterization.

Ultratec has long believed that equipment which is designed to assist deaf and hard of hearing persons access the telephone network should interoperate at basic, non-proprietary levels in other communications modes and/or with

¹ "Petition for Declaratory Ruling Filed by the California Coalition of Agencies Serving the Deaf and Hard of Hearing Concerning Video Relay Service (VRS) Interoperability," Public Notice, DA 05-509 (March 1, 2005).

appropriate TRS, provided that such added interoperability capabilities do not interfere with the best possible configuration and operation of the device for the purpose it was designed, and provided that these capabilities do not materially increase the cost of the device. While it would be difficult to imagine the case where each and every type of assistive device is capable of interoperation with *all* other assistive devices, modes of communication, and communications services, it is reasonable to expect that assistive telecommunication devices should be designed to allow the user to interoperate with the telephone network and its associated services. This would include TRS that can, both technically and commercially, be reasonably designed into the equipment, given the constraints of the device's hardware, software, physical size, cost, etc.

As an example, Ultratec has over the past twenty-seven years developed many helpful technologies to improve the ways TTYs are used. Some of these technologies – such as voice announcers, auto-coding, and enhanced reception technologies – are now seen in virtually every TTY. One of the enhanced communications modes, Turbo Code™, is only available in Ultratec-licensed TTY and TRS products. However, Ultratec designed its Turbo Code-equipped TTYs so that they remained interoperable with all traditional Baudot and ASCII-based TTYs and relay services. While Turbo Code gives the user many additional benefits, it does not prohibit the user from making calls to or receiving calls from any traditional TTY or relay service.

Using the same philosophy, although CapTel telephones have been designed with certain enhanced VCO capabilities that operate with other similarly equipped devices and systems, these phones are also designed to interoperate with *all* traditional VCO TRS using the Weitbrecht-Baudot code, conventional voice telephone services, VCO-TTY calls (private VCO – where the CapTel/VCO user talks to a hearing party who has a TTY and types back), and VCO-TTY 9-1-1 calls. In addition, CapTel phones interoperate as highly amplified voice telephones. Thus, consumers who individually buy or receive this equipment through distribution programs are very able – and clearly permitted – to use CapTel equipment to make or receive relay calls through any TRS provider that they choose, either via 711 or the corresponding 800 relay numbers, for all traditional state or interstate relays, regardless of whether the particular relay service supports CapTel service.² In fact, when a user dials “711” on the CapTel keypad, the unit automatically defaults to VCO mode for use with a traditional relay.

In addition, because a CapTel phone can serve as a “regular” phone, it can be used to make and receive calls with anyone in the telephone network. Designing the CapTel phone to be interoperable with traditional TRS calls, VCO-TTY (private VCO) calls, VCO-TTY 9-1-1 calls, and traditional voice telephony as well as with CapTel service were all reasonable, both technically and commercially, given the hardware, software, physical configuration, cost, and other design criteria.

² CapTel users can also receive relay calls made over the Internet, by having the IP communications assistant dial the CapTel user through a CapTel service or via VCO using a traditional TRS service.

We would also like to point out that under no circumstance has the CapTel phone or the CapTel service ever blocked incoming calls from any traditional relay service – whether the calls have been made via traditional TTY-voice TRS, VRS, VCO, or any other type of traditional relay service. CapTel users have been free to call out using any traditional relay service or receive calls inbound from any traditional relay service.

Finally, in its 2003 Declaratory Ruling, the FCC was careful to approve not only “CapTel,” but rather to approve the general form of “captioned telephone enhanced VCO” service.³ As new enhanced assistive technologies continue to emerge, this ruling is sufficiently broad to allow for the inclusion of many possible forms of text-assisted telephony. Ultratec believes that the FCC did not intend to create a private TRS opportunity for CapTel, but rather to allow enhancements to the functional capability of VCO to be approved as part of TRS. Accordingly, CapTel is designed to integrate with and to be interoperable with the existing telephone network and other relay services while providing an enhanced level of functional equivalence when used in the CapTel mode.

Respectfully submitted,

/s/
Pamela Holmes
Director of Consumer and Regulatory Affairs
Ultratec, Inc.
450 Science Drive
Madison, WI 53711
(608) 238-5400

³ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, Declaratory Ruling*, CC Dkt No. 98-67, FCC 03-190 (2003).

Karen Peltz Strauss

Karen Peltz Strauss
KPS Consulting
3508 Albemarle Street, N.W.
Washington, D.C. 20008
kpsconsulting@starpower.net

Legal Consultant for Ultratec

May 2, 2005